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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,220	07/20/1999	YOSHIKAZU OUCHI	450100-4991	8900
20999	7590	03/23/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			TRAN, NHAN T	
			ART UNIT	PAPER NUMBER
			2615	13
DATE MAILED: 03/23/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/357,220

Applicant(s)

OOCHI, YOSHIKAZU

Examiner

Nhan T. Tran

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/22/2003 and 11/10/2203.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/10/2003 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glenn (US 5,978,023) in view of Nishimura Ryushi (JP 10-145650).

Regarding claim 1, Glenn discloses a video camera apparatus comprising:

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a solid image sensor having an electronic shutter (e.g., operating at 1/60 second exposure), for outputting an image sensing in a progressive scan mode as shown in col. 7, lines 45-53;

a drive control means for controlling the electronic shutter of the solid image sensor at a field cycle of a standard television system (1/60 second exposure) used as a basic cycle, thereby to output the image sensing signal from the solid image sensor in the progressive scan mode (see col. 7, lines 45-53).

Glenn discloses a video camera having the progressive scan mode and interlaced scan mode and the output signals in progressive scan mode can be recorded (col. 5, lines 23-30). However, Glenn fails to teach a state that is provided for storing still pictures according to the progressive scan mode. Nishimura teaches an image pickup device having both interlace scan mode and progressive scan mode, and when photographing still picture, a photographer turns on a shutter button while monitoring the image on the display device. When shutter-on is detected, the control circuit switches the imaging device to progressive scan mode and still pictures are recorded into a recording medium (see Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art to enhance the video camera in Glen by enabling a still picture capturing function with a recording medium so that still pictures would be recorded into the recording medium in the progressive scan mode when shutter-on button is detected thereby a highly operable camera would be realized for not only capturing moving pictures but also capturing high quality still pictures at a specific time as desired by the user.

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Regarding claim 2, the claim limitations are analyzed in claim 1.

Regarding claim 3, the claim limitations are analyzed in claim 1. Additionally, both interlace and progressive scan modes are driven at 60 fields per second, meaning that the shutter speed in the progressive scan mode is equal to the shutter speed in the interlace scan mode.

Regarding claim 4, the claim limitations are analyzed in claims 1 & 3.

4. Claims 5 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glenn and Nishimura as applied to claim 1 and in further view of Hieda (Us 6,377,301).

Regarding claim 5, the claim limitations are analyzed in claim 1. Glenn does not teach scan converter means for converting the image sensing signal based on progressive scanning, into an interlace scan signal. Hieda teaches a scan converter (12) for converting progressive scan signals into interlace scan signals that are suitable for recording onto a video tape (15) in a still-image mode (see Fig. 1; col. 5, lines 4-8 and note that the video tape 15 may be a digital video tape).

Therefore, it would have been obvious to one of ordinary skill in the art to further modify the video camera in the combination of Glenn and Nishimura by implementing a video tape recording medium and its corresponding processing unit together with a scan converter for converting the progressive scan signals into interlace signals so that still pictures would be

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captured onto the video tape in interlace format as an optional recording mode of the video camera offered to the user.

Regarding claim 6, the claim limitations are analyzed in claims 1 & 5.

Regarding claim 7, the claim limitations are analyzed in claims 1 & 5.

Regarding claim 8, the claim limitations are analyzed in claims 1 & 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (703) 605-4246. The examiner can normally be reached on Monday - Thursday, 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.

A handwritten signature in black ink, appearing to read 'Andrew Christensen', with a long horizontal flourish extending to the right.

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600